

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DANIEL Z. MALDONADO,

Petitioner,
v.

RICK RAEMISCH, Secretary
Wisconsin Department of Corrections,

ORDER

10-cv-90-bbc

Respondent.

This case presents a petition for a writ of habeas corpus brought pursuant to 28 U.S.C. § 2254 challenging a probation revocation. Now before the court is petitioners motion to compel discovery, asking that the court order respondent to produce his May 22, 2007 polygraph examination paper print-out graphs and the video recording of the polygraph. Petitioner does not explain why these documents are relevant to his petition; he merely asserts that he is entitled to these documents under the Freedom of Information Act.

The respondent reports that the Department of Correction never had possession of the polygraph records and therefore cannot produce them. Further, respondent notes, correctly, that petitioner has not shown good cause for obtaining these records, which were not a part of the state record that petitioner is challenging.

Therefore, IT IS ORDERED that petitioner Daniel Z. Maldonado's motion to compel discovery, dkt. 15, is DENIED.

Entered this 20th day of May, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge